

Introduced by Senator Perata

February 20, 2004

An act relating to the Oakland Estuary.

LEGISLATIVE COUNSEL'S DIGEST

SB 1622, as introduced, Perata. Oakland Estuary Reconfiguration and Trust Exchange Act.

This bill would state the intent of the Legislature to enact the Oakland Estuary Reconfiguration and Trust Exchange Act to authorize and establish conditions for an exchange of certain tidelands granted to the City of Oakland for other lands not now subject to the public trust.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Since the 1850's, the City of Oakland has received grants of
4 tidelands from the Legislature. The grants resulted in the
5 establishment of one of the leading container ports in the United
6 States, the Port of Oakland.

7 (b) By virtue of the Charter of the City of Oakland, the Port of
8 Oakland administers, manages, and controls these granted
9 tidelands. The Port of Oakland holds the granted tidelands in trust
10 for the purposes expressed in those grants.

11 (c) The Oakland Estuary Reconfiguration and Trust Exchange
12 Act will, in principal part, authorize and establish conditions for



1 an exchange of certain granted tidelands for other lands not now
2 subject to the public trust.

3 (d) The proposed exchange is the result of concerns of the
4 public and the Oakland Redevelopment Agency about
5 improvement of and public access to the shoreline of the Oakland
6 Estuary. These concerns focus on a decaying industrial area not
7 operating and not feasible to operate as a maritime container
8 terminal and in which the Port of Oakland controls granted
9 tidelands and owns other lands.

10 (e) The exchange is intended to advance the necessary, ongoing
11 redevelopment of the Port of Oakland's land holdings, while
12 promoting and reconfiguring its marine container terminals.

13 SEC. 2. It is the intent of the Legislature to enact the Oakland
14 Estuary Reconfiguration and Trust Exchange Act to authorize and
15 establish conditions for an exchange of certain tidelands granted
16 to the City of Oakland for other lands not now subject to the public
17 trust.

